

***MINUTES OF
FAUQUIER COUNTY AGRICULTURAL & FORESTAL
DISTRICT ADVISORY COMMITTEE***

September 15, 2004

The Fauquier County Agricultural and Forestal District Advisory Committee held a meeting on September 15, 2004, at 7:00 P.M. in the 2nd Floor Conference Room, Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Ms. Mary T. Morran, Chairperson; Mr. William Worrall, Vice-Chairperson; Dr. Kitty Smith, Mrs. Mildred Riddell; Mr. John Schied; Ms. Lucie M. Garrett; Mr. James N. Eustace; Mr. Harry Atherton; Mr. Ross D'Urso; and Mr. Robert Rogers. Also present were Ms. Kimberley A. Johnson, Zoning Administrator; Ms. Bonnie Bogert, Planner; and Mrs. Deborah Dotson, Office Associate III.

MINUTES: On a motion made by Dr. Smith and seconded by Ms. Riddell, the Agricultural and Forestal District Advisory Committee moved to approve the minutes of the November 5, 2003 meeting.

The motion carried unanimously

On a motion made by Dr. Smith and seconded by Ms. Riddell, the Agricultural and Forestal District Advisory Committee moved to approve the minutes of the March 10, 2004 meeting.

The motion carried unanimously.

THIRD RENEWAL OF MARSHALL/WARRENTON AGRICULTURAL AND FORESTAL DISTRICT

Ms. Bogert reviewed the staff report, a copy of which is attached to and becomes a part of these minutes. Ms. Bogert presented the committee with a list, a copy of which is attached to and made a part of these minutes, containing properties within the District requesting renewal and containing properties within the District requesting to withdraw.

On a motion made by Mr. Atherton and seconded by Mr. D'Urso, the Committee voted to recommend approval of the Third Renewal of Marshall/Warrenton Agricultural and Forestal District to the Planning Commission and the Board of Supervisors with the following conditions:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4309 of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.

- a. All uses allowed by right in the applicable zoning district(s) for each parcel listed shall require a special exception except for agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family.
 - b. Subdivisions of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance are not permitted.
 - c. No special exception shall be in conflict with the purposes for which the District was created.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Section 58.1-3229 and 58.1-3244 of the Code of Virginia.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the Code of Virginia.
4. That lawful termination of any owner's association in the district shall not serve to terminate the existence of the district, but the district shall continue in effect until the review required by Section 15.2-4309 of the Code of Virginia.
5. If any portion of a parcel less than 25 acres is sold, boundary line adjusted or divided, then the entire parcel shall automatically be removed from the district.
6. If any portion of a parcel greater than 25 acres is sold, boundary line adjusted or divided to below 25 acres then the portion less than 25 acres shall automatically be removed from the district.

The motion carried unanimously.

TWELFTH ADDITION TO THE ORLEAN/HUME AGRICULTURAL AND FORESTAL DISTRICT

Applicant has requested the addition of two parcels totaling 55.0 acres to the District. The parcels are identified as PIN #6927-57-7016-000 (50.0 acres), located off Leeds Manor Road (Rt. 688), and PIN #6927-56-8482-000 (5.0 acres), located off Leeds Manor Road (Rt. 688). The parcels are zoned RA (Rural Agricultural).

Ms. Bogert reviewed the staff report, a copy of which is attached to and becomes a part of these minutes.

On a motion made by Dr. Smith and seconded by Ms. Riddell, the Committee moved to recommend the 50-acre parcel be included in the Orlean/Hume Agricultural and Forestal District Renewal and moved to recommend the 5-acre not be included in the Orlean/Hume Agricultural and Forestal District Renewal to the Planning Commission and the Board of Supervisors.

The motion carried unanimously.

THIRD RENEWAL OF THE ORLEAN/HUME AGRICULTURAL AND FORESTAL DISTRICT

Ms. Bogert reviewed the staff report, a copy of which is attached to and becomes a part of these minutes. Ms. Bogert presented the committee with a list, a copy of which is attached to and made a part of these minutes, containing properties within the District requesting renewal and containing properties within the District requesting to withdraw. Dr. Smith recommended that in the future staff provide more information about the kind of farming that an applicant is doing.

On a motion made by Dr. Smith and seconded by Mr. Eustace, the Committee voted to recommend approval of the Third Renewal of the Orlean/Hume Agricultural and Forestal District to the Planning Commission and the Board of Supervisors with the following conditions:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4309 of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. All uses allowed by right in the applicable zoning district(s) for each parcel listed shall require a special exception except for agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family.
 - b. Subdivisions of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance are not permitted.
 - c. No special exception shall be in conflict with the purposes for which the District was created.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Section 58.1-3229 and 58.1-3244 of the Code of Virginia.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the Code of Virginia.
4. That lawful termination of any owner's association in the district shall not serve to terminate the existence of the district, but the district shall continue in effect until the review required by Section 15.2-4309 of the Code of Virginia.

5. If any portion of a parcel less than 25 acres is sold, boundary line adjusted or divided, then the entire parcel shall automatically be removed from the district.
6. If any portion of a parcel greater than 25 acres is sold, boundary line adjusted or divided to below 25 acres then the portion less than 25 acres shall automatically be removed from the district.

The motion carried unanimously.

ELEVENTH ADDITION TO THE PLAINS AGRICULTURAL AND FORESTAL DISTRICT

Applicant has requested the addition of one parcel totaling 152.5825 acres to the District. The parcel is identified as PIN #7000-55-1219-000 (152.5825 acres), located off Bust Head Road. The parcel is zoned RA (Rural Agricultural).

Ms. Bogert reviewed the staff report, a copy of which is attached to and becomes a part of these minutes.

On a motion made by Ms. Garrett and seconded by Mr. Atherton, the Committee moved to recommend the addition be included in The Plains Agricultural and Forestal District to the Planning Commission and the Board of Supervisors.

The motion carried unanimously.

THIRD RENEWAL OF THE PLAINS AGRICULTURAL AND FORESTAL DISTRICT

Ms. Bogert reviewed the staff report, a copy of which is attached to and becomes a part of these minutes. Ms. Bogert presented the committee with a list, a copy of which is attached to and made a part of these minutes, containing properties within the District requesting renewal and containing properties within the District requesting to withdraw. Dr. Smith recommended that in the future staff provide more information about the kind of farming that an applicant is doing.

On a motion made by Ms. Garrett and seconded by Mr. Atherton, the Committee voted to recommend approval of the Third Renewal of The Plains Agricultural and Forestal District to the Planning Commission and the Board of Supervisors with the following conditions:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4309 of the Code of Virginia (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.

- a. All uses allowed by right in the applicable zoning district(s) for each parcel listed shall require a special exception except for agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family.
 - b. Subdivisions of land as defined in Article 2-39 of the Fauquier County Subdivision Ordinance are not permitted.
 - c. No special exception shall be in conflict with the purposes for which the District was created.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Section 58.1-3229 and 58.1-3244 of the Code of Virginia.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the Code of Virginia.
4. That lawful termination of any owner's association in the district shall not serve to terminate the existence of the district, but the district shall continue in effect until the review required by Section 15.2-4309 of the Code of Virginia.
5. If any portion of a parcel less than 25 acres is sold, boundary line adjusted or divided, then the entire parcel shall automatically be removed from the district.
6. If any portion of a parcel greater than 25 acres is sold, boundary line adjusted or divided to below 25 acres then the portion less than 25 acres shall automatically be removed from the district.

The motion carried unanimously.

OTHER MATTERS: Dr. Smith suggested to staff that another letter be sent to property owners of less than 25 acres so that they may fully understand the renewal process and the possibility of their property not being renewed.

Adjournment: There being no further business before the Committee, the meeting adjourned at 7:55pm.

Mary Morran, Chairperson